

An. Code, 1924, sec. 20. 1912, sec. 18. 1904, sec. 17. 1894, ch. 380, sec. 16.

20. It shall be unlawful for any person to take or catch oysters on Sunday or at night; and any person violating this section shall, on conviction thereof, be fined a sum of not less than fifty dollars nor more than three hundred dollars, or sentenced to the house of correction for a period not less than three months nor more than one year, or forfeit the boat, vessel or canoe used in violation of this section, in the discretion of the judge or justice of the peace trying the case.

Cited but not construed in *Messick v. State*, 82 Md. 585.

An. Code, 1924, sec. 21. 1912, sec. 19. 1904, sec. 18. 1894, ch. 380, sec. 17. 1910, ch. 413, sec. 18 (p. 206).

21. The fines accruing under any of the provisions of this article shall be paid by the sheriff, constable or officers of the state fishery force collecting the same within ten days to the comptroller of the state treasury, or to the clerk of the circuit court for the particular county where such fine may accrue, or to the clerk of the criminal court of Baltimore, if such fine shall accrue in said city, and it shall be the duty of the state's attorney for the several counties and for the city of Baltimore to keep an account of said fine imposed and to make a monthly report thereof to the clerk of the circuit court for their respective counties, or to said clerk of the criminal court, as the case may be, and to see that said fines are duly collected and paid over, as aforesaid, and the surplus, after paying all costs for prosecution in such cases, shall be paid to the state comptroller for the use of the oyster fund, with a statement of the fines imposed and costs of the same; the justice of the peace or clerk of the court which imposes said fine in any and every case shall in writing inform the comptroller of the treasury of the fine, upon whom laid and the amount of said fine, with date of same. Anyone who shall violate any provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof before any judge or justice of the peace in this State, shall be fined not less than twenty-five dollars, nor more than three hundred dollars, in the discretion of the court or justice of the peace before whom such person shall be tried, or be imprisoned in the county jail for not less than one month, nor more than six months. And no part of a fine or cost so collected shall be paid or allowed by the court to any state's attorney as a fee where said state's attorney receives a fixed salary for his services.

Dredging.

An. Code, 1924, sec. 22. 1912, sec. 20. 1904, sec. 19. 1894, ch. 380, sec. 18. 1910, ch. 413, sec. 19 (p. 206). 1922, ch. 519, sec. 20. 1924, ch. 493.

22. No steamer or power boat of any kind shall be used or employed in catching or taking oysters in the waters of the State with scoop, dredge or similar instrument, and the captain of any boat who shall have on his boat any engine or motor of any kind, whether attached to said boat or not, which is adapted to or can be used in the propulsion of said boat, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than two hundred dollars nor more than three hundred dollars for the first offense and not less than two hundred and fifty dollars and the forfeiture of his license for the rest of the season for the second offense, and no other boat shall be used in catching oysters with scoop,